

1:05-CV-04725-KMK (S.D.N.Y. filed May 16, 2005), and (ii) to transfer both actions, pursuant to 28 U.S.C. § 1404(a), to the United States District Court for the District of Delaware.

Dated: July 11, 2005

Respectfully submitted,

By: s/ Richard C. Pepperman, II
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CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2005 I caused a copy of the foregoing
Notice of Motion of Defendants to Consolidate This Action With a Related Action and
Transfer Both Actions to the District of Delaware to be delivered by hand to:

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s/ Richard C. Pepperman, II